

**TOWN OF EAST WINDSOR - ZONING BOARD OF APPEALS
MINUTES OF REGULAR MEETING
JANUARY 7, 2013**

The East Windsor Zoning Board of Appeals held a meeting on Monday, January 7, 2013 at the East Windsor Town Hall, 11 Rye Street, Broad Brook, CT. The following members were present: Regular Members José Giner, Scott Morgan, James Stremper and Thomas Talamini; and Alternate Members Mystica Davis, Nolan Davis and David Menard. Also present were Richard Pippin, Board of Selectmen liaison to ZBA, and Kathy Pippin, Board of Finance member. The meeting was called to order at 7:08 p.m. by Chairman José Giner.

ESTABLISHMENT OF QUORUM:

A quorum was established as four regular members and three alternates were present. David Menard sat in as a voting member. Mr. Giner indicated that since the legal notice for this meeting advertised the hearing for the variance as starting at 7:30 p.m., they would have to wait until 7:30 to start the hearing.

MOTION: To go out of order to take up Other Business.
Talamini / Morgan / Unanimous

OTHER BUSINESS:

Election of Officers:

MOTION: To nominate José Giner as Chairman.
Talamini / Morgan / Unanimous

MOTION: To nominate Scott Morgan as Vice Chairman.
Menard / Talamini / Unanimous

MOTION: To nominate Jim Stremper as Secretary.
Talamini / Morgan / Unanimous

Approval of 2013 Meeting Schedule

MOTION: That we approve the 2013 meeting schedule as written.
Menard / Morgan / Unanimous

PUBLIC PARTICIPATION:

Richard Pippin said it was nice to see all the commission members present and he hoped that it continues.

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APPROVAL OF MINUTES:

- MOTION:** To approve the minutes of October 1, 2012. Morgan / Talamini / Unanimous
- MOTION:** To take a recess until 7:30 p.m. Morgan / Menard / Unanimous
- MOTION:** To reconvene at 7:30 p.m. Morgan / Menard / Unanimous

NEW HEARING:

Mr. Strempler read the legal notice as it appeared in publication.

ZBA #2013-01 - Application of Sumner L. Chapman for property located at 277 North Road (also known as 1 Canyon Ridge) for a variance of *Section 602.3(b) Sign Regulations, Residential Districts (height requirements)* to allow the placement of a sign that exceeds the 5 foot maximum height requirement. Property is owned by The Mansions at Canyon Ridge. [MFDD zone; Map 126, Block 36, Lot 46]

Sumner Chapman came forward to explain his application. He stated that he is a managing member of the Mansions at Canyon Ridge. He explained that they want to get a variance for the sign out front. He noted that they are in a residential zone although they are a business. Mr. Chapman said with cars going fast down North Road, the sign is difficult to see. He noted that Revays's Gardens and Kement's, both down the street, have larger signs. Mr. Chapman pointed out on plans where the proposed sign is going.

Mr. Giner asked what the area of the sign would be. Mr. Chapman said it will be 35 square feet. Mr. Giner noted that the maximum size allowed is 32 sq. ft. He said it was only advertised for a height variance and they can't give a variance for something that was not advertised. Mr. Chapman said they can get it down to 32 square feet.

Mr. Giner pointed out that it has to be a unique hardship to the property to grant a variance. Mr. Chapman said it needs to be visible. Mr. Giner suggested talking to the Planner about having the Planning and Zoning Commission amend their regulations to allow these types of signs for apartment buildings. He said if you grant a variance it stays on the land records forever. He said if the PZC believes that this type of use would be equal to a type of business, they should change their regulations to allow this. Mr. Chapman noted that not every apartment complex is on a highway. He said they are trying to make it nice. He said they have been a good asset to the town. Mr. Giner said it is a very nice looking sign but he

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felt that the height has nothing to do with the visibility. He said if there was an obstruction, he could see the need for a taller sign. Mr. Giner said he didn't feel comfortable overstepping the PZC's authority. Mr. Chapman said they have people that come into their office that don't know they are apartments. They look more like a condo complex. Mr. Morgan asked how many units are vacant. Mr. Chapman said out of 220 units, there are about 12 or 13 vacancies. Mr. Giner reiterated that he felt the way to go is to get the Planning & Zoning Commission to change the regulations.

Mr. Giner opened up the hearing to the public. No one came forward to speak.

MOTION: To close the hearing on **ZBA #2013-01**.
Morgan / Talamini / Unanimous

MOTION: To approve **ZBA #2013-01** – the application of Sumner L. Chapman for property located at 277 North Road (also known as 2 Canyon Ridge) for a variance of Section 602.3(b) Sign Regulations, Residential Districts (height requirements) to allow the placement of a sign that exceeds the 5 foot maximum height requirement – as presented, except that the sign size will not exceed 32 sq. ft. Motion by: Morgan; Seconded by: Menard

In Favor: Morgan; Menard; Stremper; Talamini

Opposed: Giner

ADJOURNMENT:

MOTION: To adjourn. Morgan / Stremper / Unanimous

The meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Marlene Bauer, Recording Secretary